IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3232 of 2002

For Approval and Signature:

Hon'ble MR.JUSTICE D.H.WAGHELA Sd/-

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

1 to 5 NO @

AHMEDABAD KAISER -I-HIND MILLSCO LTD

Versus

REGIONAL PROVIDENT FUND COMMISSIONER

Appearance

1. Special Civil Application No. 3232 of 2002

NANAVATI & NANAVATI for Petitioner No. 1

MR PJ MEHTA for Respondent No. 1

CORAM : MR.JUSTICE D.H.WAGHELA

Date of decision: 04/04/2002

ORAL JUDGEMENT

1. Rule. Learned counsel for the respondent waives service of Rule.

2. There is a consensus that, pursuant to the

impugned order dated 11.7.2001, the petitioner has already filed a review application which is pending before the respondent. It was also stated at the Bar that the review application was required to be heard and disposed as expeditiously as possible and no recovery pursuant to the impugned order ought to be enforced in the meantime. The parties having broadly agreed on these aspects, the petition is partly allowed with the direction that the review application in question pending before the respondent shall be, as far as practicable, heard and disposed by the end of May, 2002, in the proceedings of which the petitioner shall cooperate and shall not seek any unnecessary adjournment. And, in the meantime, the recovery, pursuant to the impugned order at Annexure-A dated 11.7.2001 shall not be enforced. Rule is made absolute to the aforesaid extent with no order as to costs.

Sd/-

(D.H.Waghela, J.)

(KMG Thilake)